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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/743,214

12/22/2003

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OIC0167C1US

7619

60975 7590 04/29/2008
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EXAMINER

PONIKIEWSKI, TOMASZ

ART UNIT

PAPER NUMBER

2165

MAIL DATE

DELIVERY MODE

04/29/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/743,214	BRODERSEN ET AL.	
	Examiner	Art Unit	
	Tomasz Ponikiewski	2165	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 January 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 39, 40, 42, 44-47 and 49-70 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 39, 40, 42, 44-47 and 49-70 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The Amendment filed on January 10, 2007 has been received and entered.
Claims 39, 40, 42, 44-47 and 49-70 are pending.

2. The Applicant's communication overcomes objections of prior office action
mailed 9/10/2007

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 39, 46 and 64 rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claims 39, 46 and 64 are directed to "information regarding a relationship between information stored in each of the virtual databases" and "information regarding a relationship between information stored in each of the distinct files". The disclosure fails to provide written description to form the basis of the limitations. As per

specification page 5, line 6 the user access is based on relationship of user to one or more owners in the hierarchy. On page 7 lines 11-12 the specification shows relationship between divisions. The specification does not show a database marinating information regarding a relationship between information stored in each of the virtual database. Neither does is show a virtual database comprised of plurality of distinct files and information regarding a relationship between information stored in each of distinct files.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 39, 40, 42, 44-47 and 49-70 are rejected under 35 U.S.C. 103(a) as being unpatentable over Elsey et al. (US 6,870,921 B1).

As per claim 39 Elsey et al. is directed a database system comprising:
a partitionable database (column 2, lines 16-17), wherein
the partitionable database is owned by a database operator (column 2, lines 20-25; column 3, lines 66-67; column 4, lines 1-3, wherein database as to have an owner),
the partitionable database is a database configured to be partitioned into a plurality of virtual databases (column 4, lines 2-3, wherein "virtual database" could mean

“private directory”) and to maintain information regarding a relationship between information stored in each of the virtual databases (no art presented in view of 112 1st),

the partitionable database is partitioned into the virtual databases (column 4, lines 2-3, wherein “virtual database” could mean “private directory”),

information regarding a relationship between information stored in each of the distinct files (no art presented in view of 112 1st).

each of the distinct files is associated with an owner (column 4, lines 9-11) ,
the owner is a tenant of the partitionable database (column 5, lines 21-22),
the owner is other than the database operator (column 5, lines 21-22), and
each of the virtual databases corresponds to a distinct one of the tenants in such a manner that a partitioned virtual database for a tenant comprises stored files associated with the tenant (column 4, lines 9-16); and

an access control subsystem (column 4, lines 16-22), wherein
the access control subsystem is coupled to the virtual databases (column 4, lines 16-22), and

the access control subsystem is configured to provide access to files in a virtual database of the virtual databases to a user only when the user has access authorization to the virtual database of the virtual databases from the tenant who owns the virtual database of the virtual databases (column 4, lines 16-22).

Elsey et al. does not explicitly teach each virtual database of the virtual databases of the partitionable database of the database system comprises a plurality of distinct files.

Elsey et al. teaches that each private directory contains information tailored to the needs of a individual or corporation (column 4, lines 9-11).

It would have been obvious to one of ordinary skill in the art at the time the invention was made interpret Elsey et al. to having support for private directories containing plurality of distinct information because it is well known in the art that directories hold files of distinct information.

As per claim 40 Elsey et al. as modified is directed to the virtual databases are disjoint from one another (column 4, lines 9-16, wherein the information stored may contain different elements).

As per claim 42 Elsey et al. as modified is directed to the access control subsystem is further configured to provide access to the virtual database to the user only when the user has access authorization from the tenant who owns the virtual database (column 4, lines 16-22).

As per claim 44 Elsey et al. as modified is directed to the access control subsystem is further configured to provide access authorization to the user for particular file in the virtual database based on initiation of a database call through an associated computer telephony integration (CTI) system by tenant who owns the virtual database of the virtual databases comprising the particular file (column 5, lines 20-22).

As per claim 45 Elsey et al. as modified is directed to the database operator further provides common call center service to customers of the database tenants on behalf of the database tenants (column 10, lines 20-26).

As per claim 46 Elsey et al. as modified is directed to a method comprising:
managing a database system (column 4, lines 2-3), comprising:

granting access authorization to a user for one virtual database of a virtual databases by an owner of the virtual database (column 4, lines 2-3, wherein “virtual database” could mean “private directory”; column 4, lines 9-16), wherein

the database system comprises a partitionable database (column 4, lines 2-3),

the partitionable database comprises a plurality of virtual databases(column 4-lines 2-3) and information regarding a relationship between information stored in each of the virtual databases (no art presented in view of 112 1st),

information regarding a relationship between information stored in each of the distinct files (no art presented in view of 112 1st)

the virtual database comprise the one virtual database (column 5, lines 21-22), and

each of the virtual databases has a unique database owner (column 5, lines 21-22) ; and

providing to the user access to a file of the distinct files in the one virtual database after the user has been granted the access authorization (column 4, lines 16-22).

Elsey et al. does not explicitly teach each virtual database of the virtual databases of the partitionable database of the database system comprises a plurality of distinct files.

Elsey et al. teaches that each private directory contains information tailored to the needs of an individual or corporation.

It would have been obvious to one of ordinary skill in the art at the time the invention was made interpret Elsey et al. to having support for private directories containing plurality of distinct information because it is well known in the art that directories hold files of distinct information.

As per claim 47 Elsey et al. as modified directed to wherein the virtual databases are disjoint virtual databases (column 4, lines 9-16, wherein the information stored may contain different elements).

As per claim 49 Elsey et al. as modified directed to the user further needs authorization from an owner of a file within the one virtual database to access that file, and including providing access to the file to the user after the file owner grants authorization (column 4, lines 11-16; column 4, lines 19-24; column 4, lines 30-33).

As per claim 50 Elsey et al. as modified directed to before the providing of the access to the file of the file owner, receiving access authorization to the file for the user from the file owner (column 4, lines 16-22; column 4, lines 30-33).

As per claim 51 Elsey et al. as modified directed to the receiving of the access authorization to the file comprises initiation by the file owner of a database call to the user through an associated computer telephony integration (CTI) system (column 4, lines 38-59).

As per claim 52 Elsey et al. as modified is directed to wherein the database is a multi-tenant database having a plurality of tenants, each tenant of the tenants being the owner of a separate virtual database, at least two of the tenants utilizing a common call center service (column 4, lines 2-3; column 4, lines 9-12; column 4, lines 26-28; column 4, lines 38-51).

As per claim 53 Elsey et al. as modified is directed to wherein the partitionable database stores a plurality of distinct files that are each associated with one of a multiple unique database owners such that the virtual databases each comprises the stored files associated with the owner of the virtual database (column 4, lines 2-3; column 4, lines 9-16).

As per claim 54 Elsey et al. as modified is directed to the partitionable database is operated by a database operator on behalf of the owners of the virtual databases as tenants of the database (column 2, lines 20-25; column 4, lines 46-47, wherein the subscriber needs a service that is operated by an operator).

As per claim 55 Elsey et al. as modified is directed to each of the tenants lease capacity of the partitionable database from the database operator (column 4, lines 36-38, wherein the subscriber or tenant needs a service that is operated by an operator).

As per claim 56 Elsey et al. as modified is directed to wherein the providing to the user of the access authorization to the file in the one virtual database is initiated by a telephone call from the owner of that virtual database through a computer telephony integration (CTI) system (column 4, lines 38-44).

As per claim 57 Elsey et al. as modified is directed to wherein the user is a representative of an organization providing a service to the owner of the one virtual database (column 4, lines 30-33).

As per claim 58 Elsey et al. as modified is directed to further providing access to the user to files in other virtual databases after the user is granted authorization from the owners of the other virtual databases (column 4, lines 16-20; column 6, lines 3-4).

As per claim 59 Elsey et al. as modified is directed to wherein the access provided to the user is temporary access based on duration of the telephone call (column 5, line 32; column 5, line 56; wherein the “duration” is the time between log in and log out).

As per claim 60 Elsey et al. as modified is directed to wherein the telephone call by the owner of the one virtual database is made regarding the file, and further automatically providing access to the user to other files in the one virtual database based on the telephone call (column 10, lines 20-25; column 10, lines 35-37).

As per claim 61 Elsey et al. as modified is directed to the computer telephony integration (CTI) system is part of a call center service common to the owners of the virtual databases (column 4, lines 38-44; column 10, lines 20-26).

As per claim 62 Elsey et al. as modified is directed to wherein the providing to the user of the access authorization to the file is based at least in part on the user receiving the telephone call via the CTI system (column 4, lines 38-44).

As per claim 63 Elsey et al. as modified is directed to the providing to the user of the access authorization to the file is based on a current role of the user (column 4, lines 30-31, wherein “role” depends on “level of access”).

As per claim 64 Elsey et al. is directed to a method comprising:

managing a multi-tenant database (column 4, lines 2-4), wherein

the multi-tenant database comprises a partitionable database (column 4, lines 2-3),

the partitionable database comprises a plurality of virtual databases (column 4, lines 2-4, wherein “virtual database” could mean “private directory”; column 4, lines 9-16) and information regarding a relationship between information stored in each of the virtual databases (no art presented in view of 112 1st),

each of the virtual databases has a distinct owner (column 5, lines 21-22),

each distinct owner is one of the tenants (column 4, lines 9-12; column 5, lines 21-22),

each of the virtual databases comprises multiple associated groups of data (column 4, lines 9-11) and information regarding a relationship between information stored in each of the distinct files (no art presented in view of 112 1st), and

the managing comprises:

setting access privileges for the groups of data in each of the virtual databases based at least in part on the tenant that owns the database (column 4, lines 16-18; column 4, lines 28-35); and

for each of multiple requests by a user to one of the data groups in one of the virtual databases (column 4, lines 31-32),

determining whether to grant access to the user for the requested data group based at least in part on a relationship of the user to the tenant that owns the

virtual database that comprises the requested data group (column 2, lines 45-47;
column 4, lines 19-20; column 4, lines 28-35);

when the relationship of the user to the owner tenant is determined to be
an employee relationship, granting access to the user for the requested data group
(column 4, lines 28-35); and

when the relationship of the user to the owner tenant is not determined to
be an employee relationship, granting access to the user for the requested data group
only when the owner tenant is determined to have provided access authorization to the
user for that requested data group (column 4, lines 16-24).

As per claim 65 Elsey et al. is directed to each of the groups of data is a file
stored in the database (column 4, lines 2-3).

As per claim 66 Elsey et al. is directed to wherein the method is performed by a
database operator, and the database operator is other than any of the tenants (column
4, lines 63-66).

As per claim 67 Elsey et al. is directed to at least some of the requests for data
groups by users are received for users that are representatives of the database
operator and are based on a contact to the users that is initiated by the tenants that own
the virtual databases associated with the requested data groups, and wherein the
access authorizations for those users are determined to have been provided by those

owner tenants based on the initiated contact by those tenants (column 4, lines 16-22; column 4, lines 28-33).

As per claim 68 Elsey et al. is directed to the relationship of a user to an owner tenant is not determined to be an employee relationship and the owner tenant is determined to have provided access authorization to the user for a data group in the virtual database for that tenant, granting access to the user to other data groups in that virtual databases (column 4, lines 16-24), wherein
The granting access is based on that providing of the access authorization (column 4, lines 16-24).

As per claim 69 Elsey et al. is directed to the access granted to a user whose relationship to an owner tenant is not determined to be an employee relationship is temporary access (column 4, lines 16-23; column 5, line 32; column 5, line 56; wherein the “duration” is the time between log in and log out).

As per claim 70 Elsey et al. is directed to when the relationship of a user to an owner tenant is not determined to be an employee relationship and the owner tenant is determined to have provided access authorization to the user for a data group in the virtual database for that tenant, the access granted to that user is based on a current role of the user (column 4, lines 16-23; column 4, lines 30-31, wherein “role” depends on “level of access”).

Response to Arguments

7. Applicant's arguments with respect to claims 39, 40, 42, 44-47, and 49-70 have been considered but are moot in view of the new ground(s) of rejection.

Although the arguments were addressed in previous action mailed on 9/10/2007, the applicant continues to argue that Elsey et al. does not teach database partitionable into virtual databases which contain distinct file. the examiner points to Elsey et al. column 4, lines 2-3 which teaches that a database holds plurality of private directories. In column 4, lines 9-11 Elsey et al. teaches that private directories contain information tailored to needs of particular individual or corporation. It would be obvious to conclude that the private directories could be virtual databases as they hold information stored on servers. Therefore the cited reference overcomes the limitations of the instant application.

As per applicant's argument that Elsey et al. does not teach "distinct files", the disclosure does not contain any reference as to virtual databases containing distinct files. In fact on page 5 lines 12-12 and page 7, line 4 of specification, it is shown that virtual databases are distinct. On page 5, lines 3-4 the specification direct to a virtual database divided into "files, the files are divided into records within the files, and individual records are divided into fields."

As per applicant's argument that Elsey et al. does not teach "information regarding a relationship between information stored in each of the virtual databases" and "information regarding a relationship between information stored in each of the distinct files" is not contained in the disclosure. See 112 1st rejection above.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tomasz Ponikiewski whose telephone number is (571) 272-1721. The examiner can normally be reached on 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christian Chace can be reached on (571)272-4190. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/T.P./
April 24, 2008
/N. A./

Primary Examiner, Art Unit 2165

4/24/08

/Christian P. Chace/

Supervisory Patent Examiner, Art Unit 2165